



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

300 Westgate Center Drive  
Hadley, MA 01035-9589



SEP 17 2014

In Reply Refer To:  
FWS/Region 5/ES-NRDAR

Mr. Michael Lukas  
DuPont Corporate Remediation Group  
Chestnut Run Plaza, Building 715, Room 232  
974 Centre Road  
Wilmington, Delaware 19805

Dear Mr. Lukas:

The U.S. Department of the Interior (DOI), acting as Federal natural resource trustee (Federal Trustee), has concluded its preliminary investigation of potential injuries to natural resources under its trusteeship that may have occurred as the result of releases of hazardous substances at, or from, the Pompton Lakes Works Site. Pursuant to 43 CFR 11, the Federal Trustee has completed a Preassessment Screen (PAS). The complete PAS may be found at [http://www.fws.gov/northeast/njfieldoffice/pdf/PomptonLakes\\_PAS.pdf](http://www.fws.gov/northeast/njfieldoffice/pdf/PomptonLakes_PAS.pdf).

The agency cited serves as Federal Trustee under authority of Subpart G of the National Contingency Plan, 40 CFR Sections 300.600(b)(1-3), and 300.605.

Information gathered and presented in the PAS forms the basis of the Federal Trustee's conclusion that the following criteria are met:

1. A release of a hazardous substance has occurred.
2. Natural resources for which the Federal Trustee may assert trusteeship under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) are, or are likely to be, adversely affected by the release.

The quantity and concentration of the released hazardous substances are sufficient to potentially cause injury to natural resources for which the Federal Trustee may assert trusteeship under CERCLA. Data sufficient to pursue a natural resource damage assessment are available, or likely to be obtained, at a reasonable cost.

Currently implemented and planned response actions will not sufficiently remedy the injury to natural resources without further action.

Based upon the above findings, the Federal Trustee made the determination to perform a natural resource damage assessment for the Pompton Lakes Works site and, by this letter, provide you with Notice of Intent to Perform an Assessment (Notice). This Notice is provided pursuant to

Mr. Michael Lukas

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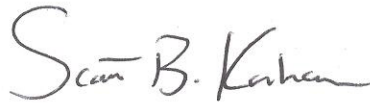
43 CFR 11.32(a)(2)(iii)(A). Your company is identified as a potentially responsible party in connection with the release of hazardous substances and the subsequent damages resulting from natural resource injury. Accordingly, you are invited to participate in the development and performance of this assessment, and in its funding.

Please provide a response to this Notice within 30 calendar days of your receipt of this letter, stating whether or not you wish to participate in this process. Please send your responses to:

Melissa Foster  
U.S. Fish and Wildlife Service  
927 N. Main St., Building D  
Pleasantville, New Jersey 08535

If you have any questions, please feel free to contact Melissa Foster, at 609-383-3938, or melissa\_foster@fws.gov. Legal questions should be addressed to Mark Barash, at 617-527-2103, or Mark.Barash@sol.doi.gov.

Sincerely,



Wendi Weber  
Regional Director

Acting

cc: Brian Donohue, Esq. Department of Justice  
Mark Barash, Esq. DOI  
Nancy Werdel, National Park Service